

IN THE CLAIMS:

Please cancel claims 8-14, 22, 29-35, and 40-43. Please amend claims 1 and 23-28.

1. (Currently Amended) A portable vacuum cleaner comprising:
  - an upright frame;
  - an upright hopper having an open top carried within the frame;
  - a closure cover for the open top of said hopper;
  - mechanical apparatus evacuating air from the hopper creating a partial vacuum in said hopper carried adjacent to the cover for collecting material within the hopper;
  - a discharge chute carried adjacent a lower end of said hopper, said discharge chute having a downwardly inclined surface extending at least partially across the open lower end of the hopper forming a downwardly extending passageway of diminishing cross section;
  - an outlet opening in the passageway; and,
  - a pivoted gate in normally closed position containing material collected in the hopper. ~~; a gate normally closing said discharge chute for retaining material collected in the hopper; and linkage carried adjacent to and externally of the hopper opening said gate discharging said material from the hopper.~~
2. (Original) A portable vacuum cleaner set forth in claim 1 including a hose carried collection apparatus communicating with said hopper.
3. (Original) A portable vacuum cleaner set forth in claim 1 including wheels carried by said frame for transporting said vacuum cleaner.
4. (Original) A portable vacuum cleaner set forth in claim 1 including at least one receptacle carried by said frame for receiving a lift truck operator.
5. (Original) A portable vacuum cleaner set forth in claim 1 wherein said linkage includes a manually actuated operator for moving said gate to open and closed positions.
6. (Original) A portable vacuum cleaner set forth in claim 1 wherein said linkage includes a toggle linkage.

7. (Original) A portable vacuum cleaner set forth in claim 1 wherein said upright hopper has a fixed mounting in said frame and said linkage is carried by said hopper.
- 8-14 Canceled
15. (Original) A portable vacuum cleaner comprising: an upright frame; an upright hopper carried within the frame; a closure at a top of said hopper creating a partial vacuum in said hopper for collecting material within the hopper; normally closed discharge apparatus carried adjacent a lower end of said hopper for retaining material collected in the hopper including an operator positioned adjacent to and externally of the hopper for discharging said material from the hopper.
16. (Original) A portable vacuum cleaner set forth in claim 15 including a hose carried collection apparatus communicating with said hopper.
17. (Original) A portable vacuum cleaner set forth in claim 15 including wheels carried by said frame for transporting said vacuum cleaner.
18. (Original) A portable vacuum cleaner set forth in claim 15 including at least one receptacle carried by said frame for receiving a lift truck operator.
19. (Original) A portable vacuum cleaner set forth in claim 15 wherein said operator includes a toggle linkage.
20. (Original) A portable vacuum cleaner set forth in claim 15 wherein said upright hopper has a fixed mounting in said frame and said normally closed discharge apparatus is carried by said hopper.
21. (Original) A portable vacuum cleaner set forth in claim 15 wherein said normally closed discharge apparatus includes a discharge chute and a normally closed gate for discharging material from said hopper.
22. (Canceled)
23. (Currently Amended) The discharge chute portable vacuum cleaner set forth in claim 22 1 including a linkage external to the hopper and in which the discharge chute forcefully biasing biases the gate toward closed position.

24. (Currently Amended) The ~~discharge chute~~ portable vacuum cleaner set forth in claim 23 1 wherein the linkage includes a toggle joint exerting the forceful biasing of the gate.
25. (Currently Amended) The ~~discharge chute~~ portable vacuum cleaner set forth in claim 24 1 wherein the gate is carried by manually rotatable operator having connection to the gate through the toggle joint.
26. (Currently Amended) The ~~discharge chute~~ portable vacuum cleaner set forth in claim 25 1 including a gasket carried between the gate and the chute for facilitating retention of liquid and solid material in the hopper.
27. (Currently Amended) The ~~discharge chute~~ portable vacuum cleaner set forth in claim 25 1 wherein the rotatable operator extends at right angles to the linkage in alignment with the gate across a front of the hopper.
28. (Currently Amended) The ~~discharge chute~~ portable vacuum cleaner set forth in claim 27 including a pivotal mounting for the gate extending in parallel spaced relation to the rotatable operator.
- 29-35 (Canceled)
36. A portable industrial vacuum cleaner comprising:  
an exterior frame including a base;  
a hopper fixedly mounted on the frame;  
a fan mounted at a top of the hopper inducing a partial vacuum therein;  
and,  
transversely spaced receptacles carried within the base for receiving the forks of a fork lift truck transporting the vacuum cleaner.
37. The portable industrial vacuum cleaner set forth in claim 36 including:  
spaced wheels transporting the vacuum cleaner independently of the spaced receptacles.
38. The portable industrial vacuum cleaner set forth in claim 37 including a downwardly extending chute at a bottom of the hopper for discharging waste collected in the hopper.

39. The portable industrial vacuum chute set forth in claim 38 a pivoted gate and manually actuated linkage for opening the gate for discharging waste material.

40-43 (Canceled)